

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BERNADINE E. MATTHEWS,

Plaintiff,

v.

Case No. 05-CV-537

WISCONSIN ENERGY CORPORATION, INC.,

Defendant.

ORDER

Plaintiff Bernadine Matthews ("Matthews") filed an expedited motion seeking a court order limiting the ability of Defendant Wisconsin Energy Corporation, Inc., to depose her and preventing the defendant from conducting an additional deposition of Howard Schwartz. In her motion, Matthews urges this court to foreclose a further deposition of Howard Schwartz due to his serious health condition. The motion also asks the court to limit any future deposition of Matthews to "relevant issues since her last deposition." (Pl.'s Mot. ¶ 7).

However, the defendant subsequently filed a letter updating the court on the subject depositions. The defendant states that it conducted and completed a deposition of Howard Schwartz on April 9, 2009. (See Docket #249). Thus, the court need not issue an order prohibiting Mr. Schwartz's deposition. Further, this court finds no reason to limit the defendant's deposition of Matthews. Therefore, the court will deny the motion.

Accordingly,

IT IS ORDERED that the plaintiff's motion to limit defendant's discovery (Docket #236) be and the same is hereby **DENIED** as moot.

Dated at Milwaukee, Wisconsin, this 27th day of April, 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'J.P. Stadtmueller', is written over a horizontal line.

J.P. Stadtmueller
U.S. District Judge